

LAW OFFICES OF
STEPHEN H. ROSEN, P.A.
100 ALMERIA AVENUE, SUITE 205
CORAL GABLES, FLORIDA 33134

STEPHEN H. ROSEN, ESQUIRE
EMAIL: attnyrosen@aol.com

TELEPHONE: (305) 448-9900
FAX: (305) 448-9337

February 1, 2012

BY ECF

The Honorable Joanna Seybert
U.S. District Court
P.O. Box 9014
Central Islip, New York 11722-9014

Re: *U.S. v. Christian Gerold Tarantino*
Case No. 08-CR-655(JS)

Dear Judge Seybert:

This is the defendant's request for an order directing the government to provide to the defense audio expert the same access to the government's expert's equipment as was afforded the government to the defendant's audio experts or to otherwise provide the same evidence from Mr. Marr which the defense provided to the government from its experts.

On January 11, 2012, the government employed its forensic experts to retrieve "reciprocal discovery" from the offices of Norman Dotti, and on January 12, 2012 from the offices of Tom Owen, and on January 27, 2012, copies of files from Paul Ginsberg were disclosed.

On January 19, 2012, the defense requested by email that the government afford in reciprocal fashion the same type of expert access to Mr. Marr's testing equipment as that afforded the government to the testing equipment of the defense experts.

On January 24, 2012, the defense suggested to the government any of the following three options: (1) run software on Marr's computer(s) to copy the files to a USB memory device ("thumb drive"); (2) remove the hard drive(s) from Marr's computer(s) to attach to our computer to make the file copies (these were the two alternatives that Norm Dotti was offered); or (3) use a thumb drive and the "COPY /V" command in Windows to get verified copies -- verified meaning we will know that the copies are accurate copies of his files .

On January 26, 2012, the defense emailed the government indicating that there has been no response to the request and the desire to work this out between the parties without court intervention.

The defendant hereby requests that the Court order the government to allow the defendant's forensic experts to retrieve "reciprocal discovery" from the offices of Mr. Marr in the same fashion afforded the government or the equivalent. What is sauce for the goose is sauce for the gander.

Respectfully submitted,

S/STEPHEN H. ROSEN

SHR/mr